

UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
LAVERN RAY DAVIDHIZAR,  
Defendant.

Case No. 3:19-mj-00456-MMS  
Case No. 3:19-cr-00110-RRB-DMS

**ORDER DENYING IN PART  
MOTION TO DISMISS  
COMPLAINT AND GRANTING  
HEARING ON RETURN OF  
PROPERTY  
(Doc. 17)**

The motion to dismiss the Complaint and issue orders protecting defendant's rights regarding grand jury is DENIED as moot, in light to the return of the grand jury October 17, 2019. The motion for oral argument (Doc. 20) on these issues is DENIED.

The motion for ordering the return of Family Medical Clinic's servers containing medical records will be addressed at the Arraignment scheduled for October 18, 2019 at 2:30 p.m.

Defense counsel should immediately file an entry of appearance if he expects to continue to represent Dr. Davidhizar in this matter and be heard by the Court.

DATED at Anchorage, Alaska, this 18<sup>th</sup> day of October, 2019.

S/ DEBORAH M. SMITH  
CHIEF UNITED STATES MAGISTRATE JUDGE